

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

BRIAN J. STRETCH (CABN 163973)
Chief, Criminal Division

BENJAMIN P. TOLKOFF (NYBN 4294443)
Assistant United States Attorney
450 Golden Gate Ave., Box 36055
San Francisco, California 94102
Telephone: (415) 436-7200
Fax: (415) 436-7234
E-Mail: Benjamin.Tolkoff@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 03-40122 WHA
)	
Plaintiff,)	PROPOSED ORDER MODIFYING
)	CONDITIONS OF SUPERVISED
v.)	RELEASE
)	
RAYMOND REISS,)	Date: August 3, 2010
)	Time: 2:00 p.m.
Defendant.)	

On July 6, 2010, the parties appeared before the Court and the defendant was held to answer to allegations that he had violated the terms of supervised release. The defendant admitted that on or about January 21, 2010, he drove recklessly in violation of California Vehicle Code § 23103, that at the time he was in possession of a dangerous weapon, specifically an Elite brand, 2.7 model, stun-gun or “Taser”, and that on or about February 8, 2010, the defendant tested positive for methamphetamine.

Based on his admissions, the Court found the defendant to be in violation of his supervised release. In lieu of revoking the defendant’s supervised release, the Court modified conditions of the defendant’s supervised release as follows: a sentence of seven months of home confinement, during which the defendant may not leave his residence except for work, court or

1 as otherwise authorized by U.S. Probation; and, an enhanced search condition, requiring the
2 defendant to submit to a search of his person, residence, vehicle, and any property under his
3 control, by a U.S. Probation Officer or any federal, state or local law enforcement officer, at a
4 reasonable time and in a reasonable manner, upon reasonable suspicion that the defendant is in
5 violation of the terms of his supervised release, has committed a crime, or is in possession of
6 contraband.

7 The defendant had no objection to the imposed seven months of home confinement, but
8 objects to the enhanced search condition. The defendant was afforded the opportunity to brief
9 his objection to the Court on August 3, 2010 at 2:00 p.m. On July 30, 2010, the defense counsel
10 filed a letter with the Court indicating that the defendant withdraws his request to brief the matter
11 to the Court on August 3, 2010.

12 Therefore, IT IS ORDERED, that the defendant be sentenced to seven months of home
13 confinement beginning July 6, 2010, and that the defendant be subject to the enhanced search
14 condition set forth above for the remainder of his supervised release. The hearing originally set
15 for August 3, 2010 at 2:00 p.m. is hereby vacated.

16 SO ORDERED.

17
18
19 DATE: August 3, 2010.

